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IN THE UNITED STATES DISTRICT COURT DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Case No. 2:22cr481 CW

Plaintiff,

VS.

APRIL GREN BAWDEN, CHAD AUSTIN BAWDEN, MAKAIO LYMAN CRISLER, PHILLIP GANNUSCIA, DUSTIN GARR, BARBARA JO JACKSON, BRENT GOLDBURN KNUDSON, ROBERT MCKINLEY, and RICHARD SCOTT NEMROW,

THIRD NOTICE OF COMPLIANCE AND REQUEST FOR RECIPROCAL **DISCOVERY**

Judge Clark Waddoups

Defendants.

The United States of America, by and through the undersigned, hereby files its third notice of compliance with its discovery obligations in this case and request for reciprocal discovery from the defendants Makaio Lyman Crisler, Phillip Gannuscia, Dustin Garr, Barbara Jo Jackson, Brent Goldburn Knudson, Robert McKinley, and Richard Scott Nemrow.

The United States gives notice that the following is being or has been provided to counsel for the defendants Makaio Lyman Crisler, Phillip Gannuscia, Dustin Garr, Barbara Jo Jackson, Brent Goldburn Knudson, Robert McKinley, and Richard Scott Nemrow:

Description	Bates Numbers
Google Emails, Photographs, Videos,	See attached discovery index
Contacts, Calendars, Drive Documents,	
Financial Records, and Police Report	
produced via hard drive (NOC 3)	

Pursuant to Rule 12(b)(4)(A) of the Federal Rules of Criminal Procedure, the United States notified the defense that at trial, the United States may seek to use all physical evidence, statements made by the defendant and others, police reports, phone records, electronic evidence (including body camera footage), documents, and photographs obtained during the investigation. The United States reserves the right to introduce in its case-in-chief all tangible objects, physical, documentary, and electronic evidence, and all other evidence provided, made available, or identified in discovery.

As additional discoverable material becomes available, such material will be provided within a reasonable time. Throughout this case, the United States will provide material discoverable under Rules 16 and 26.2 of the Federal Rules of Criminal Procedure and the Jencks Act without requiring the defendant to make a specific request for such material. Upon the request of the defendant, the United States will permit and facilitate the defendant's own inspection, copying or photographing of those items described/defined in Rule 16(a)(1)(E).

The United States also hereby requests disclosure of evidence by the defendant (also known as reciprocal discovery) pursuant to Rule 16(b) of the Federal Rules of Criminal Procedure and DUCrimR 16-1(c). By providing Rule 16 discovery without requiring a specific request from the defense, the United States invokes a reciprocal obligation on the defendant under DUCrimR 16-1(c), which states that the defendant must allow the government to inspect and to copy the following, as further defined in Rule 16 of the Federal Rules of Criminal Procedure:

a. Documents and tangible objects the defendant intends to introduce as

evidence at trial;

b. Reports of examinations and tests the defendant intends to introduce at

trial or that were prepared by a witness whom the defendant intends to call

at trial; and

c. A written summary of the testimony of any expert the defendant intends to

use a trial under Federal Rules of Evidence 702, 703 and 705.

The United States requests that the defendant provide to the government at a reasonable time

before trial, but no later than five working days before trial, copies of the material referenced in

this paragraph. Further, the United States requests continuing compliance with the reciprocal

discovery following the initial disclosure.

The United States also hereby requests all written and recorded statements by any witness

other than the defendant whom the defendant intends to call at trial or a hearing covered by the

Jencks Act or Rule 26.2 of the Federal Rules of Criminal Procedure.

DATED this 7th day of February, 2023.

TRINA A. HIGGINS

United States Attorney

/s/Jamie Z. Thomas

JAMIE Z. THOMAS

Assistant United States Attorney

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CERTIFICATE OF SERVICE

I certify that on the 7th day of February, 2023, the THIRD CERTIFICATE OF COMPLIANCE AND REQUEST FOR RECIPROCAL DISCOVERY was filed electronically to the District Court and caused to be made available for pickup from USAO reception:

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/s/ Melissa McKinnon Melissa McKinnon, Supervisory Paralegal

		US v. April Bawden, et al.					
CATEGORY	FOLDER NAME	DESCRIPTION	BATES BEGIN	BATES END	RELATED CERT	SOURCE	NOC
Search Warrant Returns	Google	Google Certificates of Authenticity and Hash Letters	USA-00137720	USA-00138067	USA-00137720-138067	Subpoena	m
	Google	Bowden, April (Google Drive Documents)	USA-00138068	USA-00138302	USA-00137720-138067	Subpoena	3
	Google	Bowden, April (Subscriber Information)	USA-00138303	USA-00138346	USA-00137720-138067	Subpoena	3
	Google	Bowden, April (Contacts)	USA-00138347	USA-00138422	USA-00137720-138067	Subpoena	3
	Google	Bowden, April (Calendar)	USA-00138423	USA-00138533	USA-00137720-138067	Subpoena	3
	Google	Bowden, April (Emails)	USA-00138534	USA-00152036	USA-00137720-138067	Subpoena	3
	Google	Bowden, April (Videos & Photos)	USA-00152037	USA-00156519	USA-00137720-138067	Subpoena	3
	Google	Hith, Aylor (Google Drive Documents)	USA-00156520	USA-00156946	USA-00137720-138067	Subpoena	3
	Google	Crisler, Lyman (Google Drive Documents)	USA-00156947	USA-00157290	USA-00137720-138067	Subpoena	3
	Google	Crisler, Lyman (Subscriber Information)	USA-00157291	USA-00157345	USA-00137720-138067	Subpoena	3
	Google	Crisler, Lyman (Contacts)	USA-00157346	USA-00157541	USA-00137720-138067	Subpoena	m
	Google	Crisler, Lyman (Calendar)	USA-00157542	USA-00158026	USA-00137720-138067	Subpoena	က
	Google		USA-00158027	USA-00292434	USA-00137720-138067	Subpoena	Э
	Google	Crisler, Lyman (Videos & Photos)	USA-00292435	USA-00292435	USA-00137720-138067	Subpoena	3
	Google	Dupont, Reggie (Google Drive Documents)	USA-00292436	USA-00292445	USA-00137720-138067	Subpoena	3
	Google	Dupont, Reggie (Subscriber Information)	USA-00292446	USA-00292456	USA-00137720-138067	Subpoena	3
	Google	Dupont, Reggie (Contacts)	USA-00292457	USA-00292457	USA-00137720-138067	Subpoena	3
	Google	Dupont, Reggie (Calendar)	USA-00292458	USA-00292459	USA-00137720-138067	Subpoena	3
	Google	Dupont, Reggie (Emails)	USA-00292460	USA-00333267	USA-00137720-138067	Subpoena	3
	Google	Jackson, Kerm (Google Drive Documents)	USA-00333268	USA-00334025	USA-00137720-138067	Subpoena	3
	Google	Jackson, Kerm (Subscriber Information)	USA-00334026	USA-00334060	USA-00137720-138067	Subpoena	3
	Google	Jackson, Kerm (Contacts)	USA-00334061	USA-00334315	USA-00137720-138067	Subpoena	3
	Google	Jackson, Kerm (Calendar)	USA-00334316	USA-00334331	USA-00137720-138067	Subpoena	Э
	Google		USA-00334332	USA-00453540	USA-00137720-138067	Subpoena	3
	Google	Jackson, Kerm (Videos & Photos)	USA-00453541	USA-00453543	USA-00137720-138067	Subpoena	3
	Google	Nemrow, Richard Scott (Google Drive Documents)	USA-00453544	USA-00454995	USA-00137720-138067	Subpoena	3
	Google	Nemrow, Richard Scott (Subscriber Information)	USA-00454996	USA-00455040	USA-00137720-138067	Subpoena	3
	Google	Nemrow, Richard Scott (Contacts)	USA-00455041	USA-00455236	USA-00137720-138067	Subpoena	3
	Google	Nemrow, Richard Scott (Calendar)	USA-00455237	USA-00456746	USA-00137720-138067	Subpoena	m
	Google	Nemrow, Richard Scott (Emails)	USA-00456747	USA-00836000	USA-00137720-138067	Subpoena	3
	Google	Nemrow, Richard Scott (Videos & Photos)	USA-00836001	USA-00864906	USA-00137720-138067	Subpoena	3
	Google	Knudson, Brent (Google Drive Documents)	USA-00864907	USA-00877361	USA-00137720-138067	Subpoena	3
	Google	Knudson, Brent (Subscriber Information)	USA-00877362	USA-00877497	USA-00137720-138067	Subpoena	3
	Google	Knudson, Brent (Contacts)	USA-00877498	USA-00878057	USA-00137720-138067	Subpoena	3
	Google	Knudson, Brent (Calendar)	USA-00878058	USA-00878326	USA-00137720-138067	Subpoena	3
	Google	Knudson, Brent (Emails)	USA-00878327	USA-01244953	USA-00137720-138067	Subpoena	3
	Google	Knudson, Brent (Videos & Photos)	USA-01244954	USA-01306296	USA-00137720-138067	Subpoena	3
Financial Instruments	Deutsche Bank	Echo Pacific Payment Detail Spreadsheet	USA-01306297	USA-01306297	None	Subpoena	3
	Deutsche Bank	Galaxy Unlimited Payment Detail Spreadsheet	USA-01306298	USA-01306298	None	Subpoena	3
	Deutsche Bank	Gloss Motive Payment Detail Spreadsheet	USA-01306299	USA-01306299	None	Subpoena	3
	Deutsche Bank	Hawthorne Ventures Payment Detail Spreadsheet	USA-01306300	USA-01306300	None	Subpoena	Э
	Deutsche Bank	Healthwatch Payment Detail Spreadsheet	USA-01306301	USA-01306301	None	Subpoena	3

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CATEGORY	FOLDER NAME	DESCRIPTION	BATES BEGIN	BATES END	RELATED CERT	SOURCE	NOC
	Deutsche Bank	Healthwise Foundation Payment Detail Spreadsheet	USA-01306302	USA-01306302	None	Subpoena	m
	Deutsche Bank	Leh LLC Payment Detail Spreadsheet	USA-01306303	USA-01306303	None	Subpoena	ж
	Deutsche Bank	Live Strong Payment Detail Spreadsheet	USA-01306304	USA-01306304	None	Subpoena	3
	Deutsche Bank	Living Wellness Payment Detail Spreadsheet	USA-01306305	USA-01306305	None	Subpoena	m
	Deutsche Bank	Optical Whirlwind Payment Detail Spreadsheet	USA-01306306	USA-01306306	None	Subpoena	3
	Deutsche Bank	Optimal Marketing Payment Detail Spreadsheet	USA-01306307	USA-01306307	None	Subpoena	m
	Deutsche Bank	Performance Wellness Payment Detail Spreadsheet	USA-01306308	USA-01306308	None	Subpoena	m
	Deutsche Bank	Premiere Health Payment Detail Spreadsheet	USA-01306309	USA-01306309	None	Subpoena	3
	Deutsche Bank	Prime Health Payment Detail Spreadsheet	USA-01306310	USA-01306310	None	Subpoena	3
	Deutsche Bank	Shiply Payment Detail Spreadsheet	USA-01306311	USA-01306311	None	Subpoena	m
	Deutsche Bank	Star Force Payment Detail Spreadsheet	USA-01306312	USA-01306312	None	Subpoena	3
	Deutsche Bank	Super Nova Enterprises Payment Detail Spreadsheet	USA-01306313	USA-01306313	None	Subpoena	ж
	Deutsche Bank	Supreme Alliance Payment Detail Spreadsheet	USA-01306314	USA-01306314	None	Subpoena	3
	Deutsche Bank	True Health Solutions Payment Detail Spreadsheet	USA-01306315	USA-01306315	None	Subpoena	3
	Deutsche Bank	Vital Nutrition Payment Detail Spreadsheet	USA-01306316	USA-01306316	None	Subpoena	3
	Deutsche Bank	Wave Distribution Payment Detail Spreadsheet	USA-01306317	USA-01306317	None	Subpoena	3
Investigative	Lindon PD	Lindon PD Report regarding arrest of Mr. Nemrow	USA-01306318	USA-01306322	None	Agent	3